

**REMARKS**

After entry of the present Amendment, claims 2-15 will be all the claims pending in the application, including new claims 10-15, which are added by the present Amendment.

By the present Amendment, Applicant rewrites claims 2, 3, 6, and 9 in independent form including all of the limitations of original claim 1. Claim 8 is amended to change its dependency from claim 1 to claim 2. Claim 1 is canceled.

Claims 1-3 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi (US 6,271,934) in view of Bernardi (US 6,021,278).

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi in view of Bernardi and Wong (US 6,557,102).

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi in view of Bernardi and Hisatake (US 5,669,040).

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi in view of Bernardi and Enomoto (US 6,034,759).

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi in view of Bernardi and well-known prior art.

Hayashi relates to an image forming apparatus in which a gradation pattern having a plurality of gradation levels is output by an image output unit to a recording medium and an image signal conversion table used to convert input image signals into output image signals to be supplied to the image output unit is corrected based on reading data obtained by optically reading the gradation pattern and target data for the reading data.

Bernardi relates to cameras having speech recognition capabilities and a flippable display for viewing the results of certain speech commands.

Wong relates to systems for management of image information including digital images and associated data by maintaining at least one central electronic archive which may be accessed over a digital data network or other communications link by remote viewing stations.

Hisatake relates to an image forming apparatus which enables the operator to select any one of multiple jobs and reliably and easily change the processing content of the selected job.

Enomoto relates to an image processing apparatus which effects image processing based on image data and a photographic printing apparatus which allows an image recorded on a photographic film to be printed onto a photographic printing paper.

Claim 2 of the present invention recites a plurality of image correction conditions of different intensities being set with respect to the verbal expression, and a plurality of images corrected under the image corrections conditions being reproduced according to the input verbal expression. Applicant submits that the prior art fails to teach or suggest all of the limitations of claim 2. The Examiner points to col. 16 of Hayashi as allegedly disclosing the aforementioned features of claim 2, but Applicant disagrees.

In particular, Hayashi does not teach or suggest wherein a plurality of image correction conditions of different intensities are set with respect to the verbal expression. The Examiner asserts that if the conversion table of Hayashi is updated, then the plurality of image correction conditions will have different intensities since the corresponding values are different. In this regard, the Examiner points to col. 17, lines 4-9 of the reference. However, the cited excerpt refers to the density of the output signal. In other words, although Hayashi discloses that an

output signal having a lower density is obtained when the input signal is applied to the conversion table, Hayashi does not disclose a plurality of image correction conditions of different intensities being set with respect to the verbal expression. Therefore, claim 2 is allowable over the prior art.

Claim 8 is allowable at least because of its dependence from claim 2.

Applicant submits that the prior art fails to teach or suggest all of the limitations of claim 3. Specifically, the prior art fails to disclose wherein a relationship between the verbal expression first input with respect to the image and correction of the image finally made is totalized, and the image correction condition corresponding to the verbal expression is updated according to a result of totalization. Here, the Examiner points to col. 16, lines 10-24 of Hayashi as allegedly disclosing the features of claim 3. Applicant submits that Hayashi does not disclose the claimed totalizing. The Examiner asserts that the totalization of Hayashi is a cumulative result of updating the reference data used to correct the conversion table. Applicant respectfully disagrees. Hayashi discloses that if a user is not pleased with the quality of an image formed using a corrected conversion table, then the conversion table which is corrected can be changed to a former conversion table which is not corrected. In other words, rather than providing a cumulative correction, Hayashi discloses replacing one conversion table with another. Such replacement of conversion tables does not correspond to the claimed totalizing of claim 3. In claim 3, it is a relationship between the first input verbal expression and correction of the image that is finally made that is totalized. Hayashi does not disclose such a feature. Therefore, claim 3 is allowable over the prior art for at least this reason.

Furthermore, claim 7 is allowable over the prior art, at least because of its dependence from claim 3.

Applicant submits that claims 4 and 5 are allowable over the prior art, at least because of their dependence from claim 3, and because Wong fails to makeup for the deficiencies of Hayashi and Bernardi.

Also, Applicant submits that the prior art fails to teach or suggest the limitations for claim 4. Specifically, claim 4 recites wherein image scenes of the images are sorted by using characteristic values of the images and the totalization is performed for each of the image scenes sorted. With respect to this limitation of claim 4, the Examiner cites Wong at col. 5, lines 29-32, 49-53, and 57-59. Applicant submits that cited portions of the reference do not correspond to the claimed features of claim 4. In particular, although col. 5 discloses assembling a modified image header and modified image data into a pre-processed image data set, the reference does not disclose sorting image scenes of the images by using image characteristic values of the images. The modified image data of Wong does not correspond to the image scenes of claim 4. The modified image data is formed by concatenating the image data N of length  $L_N$  and balance of image data L of length  $L_L - N$ . Col. 5, lines 46-48. Hence, claim 4 is allowable over the prior art for this additional reason.

With further regard to claim 5, Applicant submits that the prior art fails to teach or suggest all of the limitations of this claim. The Examiner refers to col. 5, lines 57-59 of Wong as allegedly disclosing features of claim 5. Applicant respectfully disagrees. The cited portion of the reference discloses that an identifier should be unique and preferably includes a combination of a hospital identification number, patient name, examination date, and study number. By

contrast, claim 5 of the present application recites that when the image is reproduced on a photographic print, the image is sorted according to at least one of printing method, type of printing paper, printer model, individual printer used, operator using the printer, and laboratory store concerned, before the relationship between the verbal expression first input and the correction of the image finally made is totalized for each sorting process so as to update the image correction condition corresponding to the verbal expression according the result of the totalization. The prior art simply does not make the specific disclosures recited in claim 5. Thus, claim 5 is allowable over the prior art for this reason also.

Claim 6 recites wherein a plurality of image correction conditions having different image correcting algorithms are set with respect to the verbal expression, image correction is performed by selecting one of the image correction conditions, a number of times each of the image correction conditions is selected is totalized, and a priority order of each of the plurality of image correction conditions is updated according to a result of totalization. Applicant submits that the prior art fails to teach or suggest all of these limitations. Regarding the feature of claim 6 of a plurality of image correction conditions having different image correcting algorithms being set with respect to the verbal expression, the Examiner points to col. 14, lines 19-24 of Hayashi. The cited excerpt discloses that the liquid crystal screen is operated so that the menu is read out. In the screen, when an “EXECUTION” for a copying operation is specified, the auto color calibration for the copying operation is carried out. Also, when the “EXECUTION” for a printing operation is specified, the auto color calibration for the printing operation is carried out. In other words, there are two separate execution commands in the liquid crystal screen shown in Fig. 12. Each one performs its own separate function when selected. By contrast, claim 6

describes that a plurality of image correction conditions having different image correcting algorithms are set with respect to the verbal expression. In Hayashi, the user command selected only operates that particular command. There is no plurality of image correction conditions having different image correction algorithms that are set with respect to Hayashi's user commands. Hence, claim 6 is allowable over the prior art.

Also, Hisatake does not disclose the feature of claim 6 of a number of times each of the image correction conditions is selected is totalized. The Examiner points to col. 10, lines 23-30 of the reference as allegedly disclosing this feature of the claim. Applicant disagrees. The cited portion of the reference discloses that there is a sum of the number of recording sheets discharged to the outside for which print processing is complete and a number of recording sheet for which print processing is being performed for the current print processing job in the image output section. However, the number of sheets output for print processing does not correspond to the number of times each of the image correction conditions is selected being totalized. Thus, claim 6 is allowable over the prior art for this additional reason.

With regard to claim 9, Applicant submits that there is no teaching or suggestion or motivation to combine or modify the references as suggested by the Examiner. The Examiner takes official notice that switching between two modes of input is old and well known in the art. The Examiner asserts that motivation for providing switching between the verbal input mode and a numerical input mode would have been to provide multiple ways of entering data, depending upon user preference. Applicant submits that the Examiner should either provide a reference which discloses switching between a verbal input mode and a numerical input mode or remove the rejection of claim 9. Simply because one could switch between a verbal input mode and a

numerical input mode does not provide a motivation with suggestion of actually providing for such switching. It appears that the Examiner is engaging in impermissible hindsight reconstruction by asserting that the claimed feature missing from the prior art would have been obvious. It is only the Applicant's specification which provides the teaching of the feature recited in claim 9 of switching between a verbal input mode and a numerical input mode. Therefore, claim 9 is allowable over the prior art.

New claims 10-15 are added to further define the present invention. These new claims are believed to be allowable, at least because of their dependence from claims 3, 4, 6 and 9, respectively.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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